

## Article - Education

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§11-104.

(a) (1) In accordance with paragraph (2) of this subsection, the Governor shall appoint, with the advice and consent of the Senate, a Secretary of Higher Education.

(2) (i) The Commission shall submit to the Governor the names of 3 nominees for the position of Secretary from which the Governor shall make the appointment.

(ii) The Governor may reject the list and request the Commission to submit the names of additional nominees.

(b) (1) The Secretary shall:

- (i) Select, organize, and direct the staff of the Commission;
- (ii) Perform the duties the Commission assigns;
- (iii) See that the policies and decisions of the Commission are carried out;
- (iv) Serve at the pleasure of the Commission; and
- (v) Be a member of the Governor's Executive Council.

(2) (i) After consideration of the recommendations of the Commission, the Governor shall include in the annual budget request the salary for the Secretary.

(ii) The Secretary is entitled to the salary provided in the State budget.

(c) The Secretary may hire the additional staff provided in the State budget.

(d) (1) Each employee of the Commission shall join the Teachers' Pension System of the State of Maryland or the Employees' Pension System of the State of Maryland.

(2) Any employee of the Commission who is determined by the Secretary to hold a professional position may join the optional retirement program under Title 30 of the State Personnel and Pensions Article.

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